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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,984	10/22/2003	Michael P. Siok	113474	8991
25944 7590 04/09/2007 OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER BROADHEAD, BRIAN J	
			ART UNIT 3661	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/09/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/689,984

Applicant(s)

SIOK ET AL.

Examiner

Brian J. Broadhead

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3,5-7,10,11 and 13-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-7,10,11 and 13-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☒ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. 3-30-07.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

### DETAILED ACTION

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3, 5, 6, 7, and 10, 11, 13- 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Glass et al., 6278965.
3. As per claims 1, 3, 5, and 6, Glass et al. disclose a first database that obtains, store, and disseminates a first data source (106, 125); and information that an airline desires to share that is obtained from at least one airline database wherein the information the airline desires to share includes functions proprietary to the airline (130, and lines 32-35, on column 10); a first airport operations advisor module having at least one of a graphical user interface and a text based interface and usable to manage airport operations, wherein the first airport operations advisor is networked with at least the airport management database to receive at least one of the publicly available status information and the information the airline desires to share, wherein the at least one of the plurality of publicly available status information and the shared airline status information is accessible by airport management for managing operations of an airport on lines 45-65, on column 12; a second airport operations advisor module having at

least one of a graphical user interface and a text based interface and usable to manage airline operations, wherein the second airport operations advisor is networked with airport management database to select and receive the publicly available status information and the information the airline desires to share on lines 45-64, on column 12; and the at least second airport operations advisor module is networked to the at the least one airline database to obtain proprietary airline information and to distribute airline command directives to the airline on lines 55-57, on column 12; and further comprising an external agency airport operations advisor module located at an external agency having at least one of a graphical user interface and a text based interface usable to monitor airport operations, wherein the external agency airport operations advisor module is networked with the airport management database to select and receive the publicly available status information and the information the airline desires to share on lines 32-35, on column 14.

4. As per claim 7, Glass et al. disclose a plurality of first data sources that provide publicly available airport status information to an airport management database, wherein the plurality of first data sources are connected to the airport management database which includes memory (126, 125, 128, 127, 131); a plurality of second data sources that provide shared airline status information to an airline database and the airport management database, wherein the airline database is connected to the airport management database (130, lines 32-37, on column 10), the airline database is inherent since stored information is provided from the airline; a plurality of displays connected to the airport management database for viewing the publicly available status

information and the shared airline status information from the first and the second data source (141-144); and a plurality of input devices connected to the airport management database of inputting user commands to the airport operations managing system including selecting information based on the publicly available status information and the shared airline status information, wherein the airport operations managing system provides for sharing and disseminating selected information to a plurality of users for airport management on lines 32-38, on column 14.

5. As per claims 10, 11, 13, 14, 15, and 16, Glass et al. disclose gathering status information on at least one aircraft and an airport from at least one data source and storing the status information in a common decision support database accessible by airport management and an airline, distributing the status information to at least one airport operations advisor module on lines 12-20, on column 5; gathering proprietary status information and selectively distributing the proprietary status information to authorized airport operations advisor modules on lines 47-55, on column 9, and lines 32-35, on column 10; reviewing the status information on the display to identify current status of operations, and implementing a response based on the status information on lines 46-51, on column 4; implementing a response includes determining if an aircraft is ready for takeoff based on the status information on lines 38-51, on column 4; wherein gathering the shared status information comprises gathering the status of flight operations and ground services on lines 32-37, on column 4; further comprising archiving the status information to provide a historical record for identifying and implementing changes to airport operations on lines 34-47, on column 5; at least one of

the gathering of status information and distributing status information is done in real-time on line 44, on column 3; and since the disclosure is a computer program the instructions are inherent.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Glass et al., 6278965.

8. Glass et al. disclose the publicly available status information includes aircraft location, air traffic control, flight schedules, gate assignments, and weather on lines 61-65, on column, lines 29-31, on column 3, and line 61, on column 10; and the shared airline status information is inherently information the airline chose to share, otherwise it wouldn't be in the system. Glass et al. does not disclose the information includes crew schedules. It would have been obvious to one of ordinary skill at the time the invention was made to include crew schedules because Glass et al. is interested in having a total management system that would be able to handle emergencies (line 53, column 3) and maintains the total present and future condition of an aircraft. Having crew information as part of the system would aid in crisis management.

***Response to Arguments***

9. Applicant's arguments with respect to claims 1, 3, 5-7, 10-11, and 13-17 have been considered but are moot in view of the new ground(s) of rejection. Glass et al. discloses advisor modules that can select and retrieve information from an airport management database.


**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Broadhead whose telephone number is 571-272-6957. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on 571-272-6956. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BJB

  
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